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VIA ECF

Magistrate Judge Anne Y. Shields
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: Carl Joel Dorestant and Wendy Dolce v. Ford Phase II Realty Corp. et al.
Index No. : 19-CV-2270 (DRH-AYS)
Our File No. : 169R-103574

Dear Magistrate Judge Shields:

We represent defendants Ford Phase II Realty Corp. ("Ford Realty") and Lucille Gallo ("Gallo") (collectively the "Realty Defendants") in the referenced matter. We write with consent of all parties to provide the Court with a Joint Status Report regarding whether further discovery is required before the parties are prepared to proceed with depositions.

With respect to Tier I Discovery, there are a few outstanding issues which the parties anticipate can be resolved by January 3, 2020.

All parties consent to having this matter proceed to Court Ordered Mediation. The parties also agree that if the case fails to be resolved at Court Ordered Mediation, that a Court Ordered Settlement Conference should be scheduled, prior to commencing Tier II. The parties agree there will be no Tier II discovery during this time.

Plaintiffs believe that further document discovery, including interrogatories, is needed before commencing depositions. The Defendants believe that no additional document discovery or interrogatories are needed.

With respect to depositions, Defendants would seek to depose each plaintiff; plaintiffs have indicated they want to depose all defendants (four depositions) as well as two non-party witness who were previously affiliated with Ford Realty, Charles Schreyer, a real estate agent who had been an independent contractor affiliated with , and Curtis Rudolf, the former Office Manager of Ford Realty.

The parties wish to modify the Tier II Discovery Plan which was submitted prior to the October 30, 2019 Initial Conference, in order to allow time for a Court Ordered Mediation and possible Settlement Conference. Enclosed is a modified Tier II Discovery Plan.

Respectfully submitted,


Amy M. Monahan

AMM/aml
Enclosure

cc: Wendy Dolce, Esq.
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